twenty nine joint ventures. I have given the number, the total money which will be available on export front. As regards the past, we shall ensure that they fulfill the past commitments.

Pending cases in High Courts and the Supreme Court

*263. SHRI ANANTRAY DEV-SHANKER DAVE:†

SHRI SARADA MOHANTY:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the number of cases in different High Courts and the Supreme Court which are pending for more than 5 and 10 years respectively; and

(b) what are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) A statement containing the available information is laid on the Table of the House. (*See* below).

(b) The pendency of cases is due to a variety of factors such as increase in institution of cases arising from increased awareness of legal rights increased legislation relating to social and economic areas, increase in population, inherent delay in disposal of cases arising from the need to maintain quality of justice, relative shortage of infrastructural support as compared to the increasing requirements of the judiciary, etc.

Statement

Number of cases pending in High Courts and the Supreme Court for More than 5 and 10 years

Name of the Court	No. of cases pending over		As on
	5 years	10 years	
Supreme Court	28018*	10516*	30-6-1992
HIGH COURTS			
1. Allahabad	238231	2484	30-6-91
2. Andhra Pradesh	6156	289	31-12-91
3. Bombay	42274	10708	31-12-91
4. Calcutta	105306	33764	30-6-91
5. Delhi	45673	13606	31-12-91
6. Guwahati	3563	139	30-6-91
7. Gujarat	28962	6281	31-12-91
8. Himachal Pradesh	3224	313	31-12-91
9. J&K	12426	1178	31-12-91
10. Karnataka	10319	439	30-6-91
11. Kerala	4501	95	31-12-91
12. M.P.	4811	1213	31-12-91
13. Madras	43596	862	30-6-91
14. Orissa	5448	872	31-12-91
15. Patna	12474	4913	30-6-91
16. Punjab & Haryana;	15349	3471	31-12-91
17. Rajasthan	20251	3497	31-12-91
18. Sikkim	Nil	Nil	31-12-91

*Regular hearing and admission matters.

†The question was actually asked on the floor of the House by Shri Anantray Devshanker Dave.

श्री अनन्त राय देवशंकर दबे : उपसभापति महोदया, माननीय मंत्री ने अपने जवाब में वेरियस हाई कोर्ट्स की फिगर्स भी दी हैं कि केसज बढ़ते जा रहे हैं परन्तु मैंने अपने प्रश्न के "बी" पार्ट में यह पूछा था कि क्या वजह है कि संख्या बढ़ती जा रही है। उन्होंने ऐसा बताया है कि पापुलेशन बढ़ गई है, पीजलेस में लीगल राइट्स की अवेयरनैस बढ़ गई है। ऐसी दो-तीन वजह उन्होंने बताई र। यह हम जानते हैं लेकिन मैं आपसे यह पूछना चाहता हूं कि जो संख्या में बढ़ोतरी हो रही है वैरियस हाई कोर्ट्स में उनके लिए गवर्नमेंट के पास क्या कोई ऐसी योजना है जिससे आने वाले दिनों में यह संख्या कम हो सके ?

श्री हंसराज भारद्वाज : महोदया, सरकार ने हमें विषय पर समय-समय पर समितियों का गठन किया था। मलीमठ कमेटी के जो सुझाव आये हैं उनको विभिन्न राज्य सरकारों को, विभिन्न मंत्रालयों को और विभिन्न हाई कोर्ट्स को लिखा गया है कि इन सुझावों पर तुरन्त अमल करके कार्रवाई करें ताकि एरियर्स कम हो सकें। मैं माननीय सदस्य को बताना चाहता हूं कि जो हाई कोर्ट और सुप्रीम कोर्ट के अंदर केसेज की सुनवाई होती है उनका कट्रोल सुप्रीम कोर्ट और हाई कोर्ट करती है। उनको जल्दी मे निपटान के लिए उनके साथ इस समस्या को लिया गया है। विभिन्न हाई कोर्ट्स में कुछ कार्रवाई हो चुकी है और बाकी पर जारी है। इसमें समय जरूर लगेगा लेकिन यह ऐसी समस्या नहीं है जिस पर काबू न पाया जा सके।

श्री अनन्त राय देवशंकर दबे : एक ही बात पूछना चाहता हूं कि वेरियस हाई कोर्ट्स में अभी भी कई जजेज की जगह खाली है। 62 जजेज की जगह विभिन्न हाई कोर्ट्स में खाली पड़ी हैं। एक वजह यह भी है। जगह खाली रहने से केसेज की संख्या बढ़ रही है। तो क्या मंत्री महोदय इस हाऊस में यह एश्योरेंस देंगे कि जल्दी से जल्दी उनकी एपाएंटमेंट होगी ?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): Madam, there are only sixty-nine vacancies out of 512 judges. This is one of the lowest. We have been taking steps, even before these judges retire, to fill up the resultant vacancies. Considering the total number of judges, this is a very small figure and we are trying to reduce the figure further. It involves a lot of formalities. The Chief Justice of the High Court, the Chief Minister and the Governor of the State have to send proposals. It takes time for them to come. Once these proposals come, the Government of India will process them and fill up the vacancies. As I told you earlier, this is the lowest ever. We have done our best.

उपसभापति : आपका सवाल है, इतना जवाब दे दिया अब न पूछिये। आगे पूछ लीजिए।

SHRI SARADA MOHANTY: Madam Deputy Chairman, I want to know from the Government whether the Government is proposing to abolish the summer vacation and other vacations in order to give more working days to the judges to dispose of the cases—this is part (a)—(b) whether the Government is going to send government cases to Lok Adalats so that they will be disposed of soon.

SHRI K. VIJAYA BHASKARA REDDY: Madam, we are not thinking of reducing the vacation, but we are thinking of various other measures to reduce the pendency. We have one or two Reports, the Report of the Law Commission, the 124th Report and the Mallimath Commission's Report and these have been considered by the Chief Justice. I am going to call for a conference of the Law Ministers next month. Later on, the Chief Justices of the High Courts are also meeting next month. In these two meetings, we are going to consider this and see what best we can do to reduce the pendency.

THE DEPUTY CHAIRMAN: Yes, Mr. Salve

SHRI P. SHIV SHANKER: A lawyer must be debarred from putting these questions.

उपसभापति : लड़ाई झगड़ा कम करेंगे तो केसेज कोर्ट में कम जायेंगे लेकिन जितना लड़ाई झगड़ा करेंगे कोर्ट में केसेज ज्यादा जायेंगे ?

SHRI N. K. P. SALVE: Hence you have permitted me to ask!

Madam, the pendency is disconcerting. This includes the pendency of a large many tax cases which remain pending for generations, not for a generation but for generations. Partly due to the incorrigibility and the inefficiency of the Department, the pendency of the tax cases or disputes in tax cases is the maximum in India in the entire world. For that purpose, a decision was taken, to which this Government was a party, that they would establish National Tax Courts. That was one measure and, at least, the taxpayers would be taken out of the harassment and the misfortunes of this pendency by a high-power Court which would be vested with proper jurisdiction under article 226 of the Constitution. May I know from the honourable Minister what prevents him now from constituting the National Tax Courts so that the taxpayers are saved of the miseries and misfortunes arising out of this pendency? Madam, I had a case with regard to election expenses in 1967 and it was decided in 1988. I was a young man when the case started and by the time it was decided I had become absolutely old! Fortunately, they have not gone to the Supreme Court. Otherwise, I would be in my grave by the time it is decided! Therefore, if they constitute the National Tax Courts, it would at least be of some relief to the taxpayers.

SHRI K. VIJAYA BHASKARA REDDY: Madam, this much I can say that it is under the consideration of the Government. But Mr. Salve may still be disappointed because, even after they are constituted, the number of cases will also increase and the decisions will also be pending. This is one of the aspects which we may have to consider. But, to reduce the pendency, there are other things which we will have to consider and they are under consideration.

SHRI N. K. P. SALVE: What about the Tax Courts?

SHRI K. VIJAYA BHASKARA REDDY: It is under consideration.

श्री सुन्दर सिंह भंडारी : महोदया, वेकेंसीज के बारे में मंत्री जी ने जवाब दिया है यह कई हाई कोर्ट्स की तरफ से जजेज की स्ट्रैंथ बढ़ाने के लिए मांग की गयी है । सुप्रीम कोर्ट में भी इसी तरह से जजेज की स्ट्रैंथ बढ़ाने की बात कही गयी है । मैं जानना चाहता हूं कि इन दोनों विषयों पर सरकार ने क्या विचार किया है और इसको मंजूरी देने में सरकार को क्या दिक्कत है ?

SHRI K. VIJAYA BHASKARA REDDY: There is no problem. But there are certain formalities which have to be completed. It should be recommended by the Chief Justice and the State Government concerned and then it will be referred to the Chief Justice of India and then the Government of India does it. Normally, wherever there is a demand, we have conceded. This is one of the areas which we have not conceded. Otherwise, in all other areas, the demand has been concerned.

THE DEPUTY CHAIRMAN: Shri Khaleelur Rahman.

श्री मोहम्मद खलीलुर रहमान : मैडम, हाई कोर्ट्स और सुप्रीम कोर्ट में जो मुकदमात की जो पेंडेंसी है उसमें मुखतलिफ वजूहात के अलावा सबसे अहम वजह यह है कि जो आलरेडी इस वक्त जजेज की सेंक्शंड स्ट्रैंथ है, वे जगहें खाली हैं, तो उन जगहों को वक्त पर जो पूरा नहीं किया जा रहा है . . .

شری محمد خلیل الرحمن : میڈم ہائیکورٹس اور سپریم کورٹس میں جو مقدمات کی جو پینڈنسی ہے۔ اس میں مختلف وجوہات کے علاوہ سب سے اہم وجہ یہ ہے کہ جو آل ریڈی اس وقت ججیز کی سینکشنڈ اسٹرینتھ ہے وہ جگہیں خالی ہیں تو ان جگہوں کو جو پورا نہیں کیا جا رہا ہے...

उपसभापति : हो गया है सवाल ।

श्री मोहम्मद खलीलुर रहमान : मैं आंध्र प्रदेश हाई कोर्ट की मिसाल देता हूं । आंध्र प्रदेश के हाई कोर्ट की जो स्ट्रैथ है उसका...

شری محمد خلیل الرحمن : میں آندھرا پردیش ہائی کورٹ کی مثال دیتا ہوں۔ آندھرا پردیش ہائی کورٹ کی جو اسٹرینتھ ہے اس کا...

उपसभापति : इस सवाल का जवाब उन्होंने दे दिया । नया सवाल कोई नहीं है ।

श्री मोहम्मद खलीलुर रहमान : मैं मोअज्जिज मिनिस्टर साहब से यह जानना चाहता हूं कि आंध्र प्रदेश हाई कोर्ट की सैक्शंड स्ट्रैथ क्या है, और वहां पर इस वक्त कितने जजेज काम कर रहे हैं ? जजेज के तस्सवुर के लिये...

شری محمد خلیل الرحمن : میں معزز منسٹر صاحب سے یہ جاننا چاہتا ہوں کہ آندھرا پردیش ہائی کورٹ کی سینکشنڈ اسٹرینتھ کیا ہے اور وہاں پر اس وقت کتنے ججیز کام کر رہے ہیں ججیز کے تصور کے لئے....

THE DEPUTY CHAIRMAN: I won't allow you to go beyond the purview of the main question

श्री मोहम्मद खलीलुर रहमान : कितने महीने पहले चीफ जस्टिस ने पैनल रवाना किया था और वह पैनल अब तक क्यों मंजूर नहीं हुआ ?

شری محمد خلیل الرحمن : کتنے مہینے پہلے چیف جسٹس نے پینل روانہ کیا تھا اور وہ پینل اب تک کیوں منظور نہیں ہوا

THE DEPUTY CHAIRMAN: It does not come within the purview of the main question. You give separate notice. देखिये, जो डाइरेक्ट क्वेश्चन है, वह सवाल पूछिये । इसी बारे में दूसरा सवाल पूछ लीजिए । मंत्री जी दुबारा जवाब देंगे । मगर इस तरह से करेंगे तो पूरा दिन, कहां कहां कौन कौन सी बेंच में कितने लोग हैं, लग जायेगा यहां पर । शांति त्यागी जी ।

श्री शांति त्यागी : महोदया, हमारी सरकार ने घोषणा की है कि वह तुरंत और सस्ता न्याय दिलायेंगे । मगर यह घोषणा कागज पर है । मंत्री जी ने अपने लिखित उत्तर में बताया कि अकेले इलाहाबाद उच्च न्यायालय में 2,38,231 केस दस साल से पड़े हुए हैं और 62 हजार केसेज जो हैं वह पांच साल से पड़े हैं । मैं मंत्री जी से पूछना चाहता हूं कि क्या देश के बड़े राज्यों में, जैसे यू.पी. है या जहां लेटिगेशन ज्यादा होते हैं, उन क्षेत्रों में हाई कोर्ट की बेंच कायम करने के बारे में विचार करेंगे, जैसे उत्तर प्रदेश में, ताकि वहां केसेज का जल्दी निपटारा हो सके ? महोदया, यह नया क्वेश्चन है मेरा ।

SHRI K. VIJAYA BHASKARA REDDY: I understand the question. Madam, it is not a question of constituting Benches. There is a great pendency in the Allahabad High Court. I am aware of the problem. I have written

[] Translitration in Arabic Script

a letter to the Chief Justice to see how pendency can be reduced. As far as the question of constituting a Bench is concerned, there is a convention which we follow. The State Chief Minister and the Chief Justice of the concerned State must recommend. If they recommend unanimously, we consider the case because otherwise there might be a controversy about it.

THE DEPUTY CHAIRMAN: Next question.

Setting up of spinning and composite Textile mills in Punjab

*264. SHRI KAMAL MORARKA: Will the Minister of TEXTILES be pleased to state:

(a) what is the number of spinning mills and composite textile mills in Punjab;

(b) whether these are sufficient for the State in view of extensive cotton availability in the State;

(c) whether there is any proposal under Government's consideration to set up some more spinning mills in Punjab; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI ASHOK GEHLOT): (a) to (d) A statement is laid on the Table of the House.

Statement

(a) As on 31st March, 1992 there were 22 Spinning and 2 Composite/Man-made Textile Fibre Mills in Punjab.

(b) Cotton from Punjab is used by spinning mills all over the country apart from the mills in Punjab.

(c) and (d) Government does not set up Textile Mills on its own. Under the liberalised Industrial Policy no licence is required for setting up a mill. The National Co-operative Development Corporation assists in setting up of spinning mills in the cooperative sector and Punjab Government have approached NCDC in this regard.

SHRI KAMAL MORARKA: From the answer of the Minister it is now very clear that under the new economic policy, the Government has no control over industrialisation of any part of the country. For Punjab, we keep on hearing that there are pacakages under way, or it has been withheld, etc. etc. From the reply of the Minister we find that with regard to an item like cotton spinning or cotton mills for which the raw material availability is in abundance in Punjab, the Minister says that under the new policy they have no control and the private sector has to put up plants on its own and that Punjab Government have approached the National Co-operative Development Corporation. In other words, the Central Government has no responsibility for the industrialisation of Punjab. I want to know from the Miinster whether, in view of what he has stated in the answer, he will approach the Prime Minister or the Industry Minister to see that for special areas like Punjab, his Ministry is able to take some initiative to create employment opportunities there, if necessary, by re-amending the policy and going back to the old policy where backward areas could be given special attention. I want to know what exactly is the strategy of the Textile Ministry in respect of Punjab.

श्री अशोक गहलोत: उपसभापति महोदया, माननीय सदस्य ने जो भावना प्रकट की हैं, उसको मैंने नोट कर लिया है।

SHRI KAMAL MORARKA: My second supplementary is, if the Minister can answer, what is the total cotton production in the country and what is the percentage grown in Punjab? Out of the total production of spun cotton in the country, what is the percentage produced in Punjab? If he has the figures, he can give now, otherwise he can send to me later. There is a glaring discrependancy with regard to Punjab, and if that is the attitude of the Government, then they should not talk of solving the problem of Punjab.

श्री अशोक गहलोत: पंजाब की फिगर्स मैं माननीय सदस्य को अलग से भिजवा दूंगा वैसे मैं माननीय सदस्य की जानकारी के लिये कहना चाहता हूं कि पंजाब में जो कोआपरेटिव मिलें काम कर रही हैं, उनमें